AN ORDINANCE BY COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE

05- / -0054

AUTHORIZING THE MAYOR TO GRANT A PERMANENT CONSTRUCTION EASEMENT TO GEORGIA POWER COMPANY, FOR THE PURPOSE OF INSTALLING **GUYED SELF SUPPORTING** STUB **POLE** REYNOLDSTOWN PARK ACROSS THE STREET FROM MORELAND AVENUE AT CAROLINE STREET TO CONTINUE UN-INTERRUPTED SERVICE TO THE SOUTHEASTERN QUADRANT OF THE CITY OF ATLANTA AND TO WORK IN CONJUNCTION WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION TO FACILITATE CONSTRUCTION OF THE DECELERATION LANE, LOCATED IN LAND LOT 14 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA; SAID PAYMENT IN THE AMOUNT OF \$5,010.00 SHALL BE DEPOSITED INTO 3P02 (TRUST FUND) 462101 (LAND RENTAL) N21D11B69999 (CITY-WIDE GROUND AND SITE IMPROVEMENTS); AND EXPENDED FROM 3P02 (TRUST FUND) 574001 N21D11B69999 (FACILITIES NON-BUILDINGS, CITY-WIDE GROUND AND SITE IMPROVEMENTS), ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS, BUREAU OF PARKS; AND FOR OTHER PURPOSES.

WHEREAS, Georgia Power Company has requested a permanent construction easement in the City's Reynoldstown Park, located in Land Lot 14 of the 14th District of Fulton County, Georgia, for the purpose of installing a guyed supporting pole in Reynoldstown Park across the street from Moreland Avenue at Caroline Street, to continue uninterrupted service to the Southeastern Quadrant of the City of Atlanta and to work in conjunction with the State of Georgia Department of Transportation to facilitate construction of the deceleration lane at Moreland Avenue at Caroline Street; and

WHEREAS, Georgia Power Company will be responsible for payment of the costs associated with the property appraisal, easement, construction, installation and operation of the guyed self supporting stub pole at no cost to the City and will pay the City for the appraised value of the easement and the easement in the total amount of \$5,010.00; and

WHEREAS, Georgia Power Company is requesting this permanent construction easement to accomplish the tasks identified above; and

WHEREAS, a permanent construction easement is required to install the guyed self supporting stub pole in Reynoldstown Park located in Land Lot 14 of the 14th District of Fulton County, Georgia.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,

as follows:

<u>SECTION 1</u>: That the Mayor be and is hereby authorized to grant a permanent construction easement to the Georgia Power Company, for the purpose of installing a guyed self supporting stub pole in Reynoldstown Park across the street from Moreland Avenue at Caroline Street, to continue un-interrupted service to the Southeastern Quadrant of the City of Atlanta and to work in conjunction with the State of Georgia Department of Transportation, to facilitate construction of the deceleration lane, located in Land Lot 14 of the 14th District, Fulton County, Georgia, on behalf of the Department of Parks, Recreation and Cultural Affairs, Bureau of Parks.

<u>SECTION 2:</u> That the City Attorney acting as the Mayor's designee, be and is hereby authorized to review and approve the terms and conditions of the permanent construction easement, as described and delineated in the easement package, attached hereto, as Exhibit "A", and made a part hereof by reference, prior to execution by the Mayor.

SECTION 3: That Georgia Power Company will pay \$5,000.00 to the City for the Fair Market Value of the easement based on the appraisal report and will pay the City \$10.00 for the granting of the construction easement in Reynolstown Park, with said payments together of \$5,010.00 being deposited into 3P02 (Trust Fund) 462101 (Land Rental) N21D11B69999 and expended from 3P02 (Trust Fund) 574001 N21D11B69999 (Facilities non-buildings, City-wide Ground and Site Improvements).

SECTION 4: That all Ordinances and parts of Ordinances in conflict herewith, be and the same hereby are repealed.

760 Ralph McGill Blvd Bin# 79310 Atlanta, GA 30312 (404) 572-7606

December 20, 2004

Ken Gillette
Parks Administrator
City of Atlanta
City Hall East, 8th floor
675 Ponce De Leon Ave. NE
Atlanta, GA 30308

Dear Ken:

This is to confirm that Georgia Power will pay the appraised value of \$5010.00 for an easement to install a utility pole in Reynolds Town. This amount will be paid once the easement has been executed.

Thank you for your support concerning this matter.

Sincerely,

John Kelley
Manager Extern

Manager External Affairs Atlanta Region

Georgia Power

Name of Line No 6205 Parcel No Letter File On 6-1958 The count No 64118-234312-0-0-30000000 State of Georgia Fulton County Received of Georgia Power Company, hereinafter called the Company, the sum of Fulton The and 00/100 Received of Georgia Power Company, hereinafter called the Company, the sum of Sufficiency whereof is hereby acknowledged, in exchange for which the undersigned City of Atlanta, Georgia Whose Post Office Address is Force de Leon Avenue N.E., Suite 800, Atlanta, GA 30308 does hereby grant and convey to said Company, its successors and assigns, the right, privilege and easement to go in, upon along and across that tract of land owned by the undersigned at Moreland Avenue, Atlanta, GA 30307 (address of property) in Land Lot FULTON County, State of On the North by lands of on the East by lands of on the West by lands of on the West by lands of on the South by lands of on the West by lands of on the South by lands of on the South by lands of on the West						
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said timber. The undersigned does not convey	ny shall remain the property of the owner of
privileges and easements hereinbefo	any land, but merely grants the rights, are set out.
shown on a Georgia Power drawin Transmission Line, crossing the Lot 14, 14th District, Fulton C	subject of this Easement is more particularly g entitled "Moreland Avenue-Decatur property of City of Atlanta, Georgia, Land ounty, Georgia", designated Exhibit "A", a o, made a part hereof and incorporated by
Said Company shall not be liable fo not herein expressed.	r or bound by any statement or understanding
IN WITNESS WHEREOF, the Undersigned seal, this day of	ha hereunto set hand and
Signed, sealed and delivered in the presence of:	
	City of Atlanta, Georgia
Witness	
	By: (SEAL Name:
Notary Public	Title:
	Attest: (SEAL Name: Title:

APPRAISAL REPORT SUMMARY

Project	Moreland Avenue-Decatur 115 KV	Parcel 1			
Property Location	NW/c Brantley & Moreland Ave.	City	Atlanta Zip Code 30307		
Map Reference (APN)	14-0014-0011-058	County	Fulton		
Interest Appraised	Permanent Easement	Date of Value	October 12, 2004		
Land Size	0.004 Ac. 174.24 SF	Shape	Generally, Triangular		
Total Building SF	N/A SF	Topography	At road grade and generally level		
Zoning	Rg-2, Residential	Parking	N/A		
Highest & Best Use	Recreation Park	Present Use	Neighborhood Park Site		
Census Tract No.	205.00	Flood Zone	No #	135157 0263 F 05-07-01	
Client	Georgia Power Company	Owner	City of Atlanta	,	
	Value of	Property		*	
	Permanent Transmission Line Easement:		\$5,000)	
	Improvements:	N/A	0-	•	
	Market Value Of Acquisition		\$5,000	•	

REMARKS:

The appraiser was contacted by Ms. Claudette Saunders of the Georgia Power Company and was engaged to prepare an appraisal of the subject property. A legal description of the acquisition was not provided for the appraiser's review and inclusion in the appraisal report, however, the acquisition plat indicating the size and location of the site was provided. The appraiser was unaccompanied on his inspection of the property on October 12, 2004.

I certify that I have personally inspected the property, that I have no present or contemplated interest in same, that I have given consideration to the value of the property, that the appraisal assignment was not based on a requested minimum valuation or a specific valuation and that in my opinion the value of the real property is as indicated above as of October 12, 2004.

DATE **ADDRESS** October 13, 2004

570 Mountainbrooke Circle Stone Mountain, GA 30087

John D. Crawford, Real Estate Valuation Consultant Georgia Certified General Real Property Appraiser, CG1427



Real Estate Valuation Consultant

Moreland Avenue-Decatur 115 KV Transmission Line

NW/c Brantley Street & Moreland Avenue, NE

APN: 0014-0014-0011-058, Fulton County

City of Atlanta - Owner

Valuation of Acquisition

Permanent Transmission Line Easement

174.24 SF	@	\$28.00 /SF	=	\$4,879
\$4,879	x	100%	=	\$4,879

Market Value of Permanent Easement

Say \$5,000

Site Improvements: N/A \$0

Total Market Value of Permanent Transmission Line Easement

\$5,000

Valuation Summary

Market Value Before (Land Only)	\$825,000
Market Value of Acquisition	-\$5,000
Market Value of Remainder Before (Land Only)	\$820,000



Effect Of The Acquisition

The economic effect of the acquisition is revealed by the impact of the taking as it relates to the estimated highest and best use of the remainder in the after situation. Considering the proposed self supporting guy stub pole line easement which is the subject of this appraisal, the highest and best use is the same as in the before situation. Future development with a structure consistent with its legally permissible residential use is unimpaired. The remainder is physically suitable for development by reason of the size of the area not encumbered by the transmission line easement.

EXHIBIT A

ALL THAT TRACT or parcel of land lying and being in Land Lot 14 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point on the westerly right-of-way line of Moreland Avenue, located south 05°49'12" west, 602.45 feet from MARTA monument E-14, said monument being located at coordinates north 1,367,789.283 and east 444,526.136, said point also being 296.04 feet from the intersection of the westerly right-of-way line of Moreland Avenue and the southerly right-of-way line of property now or formerly owned by the Georgia Railroad and Banking Company; thence along said westerly right-of-way line of Moreland Avenue south 01°03'23" east, 310.54 feet to a point; thence south 82°11'15" west, 12.35 feet to a point on the northeasterly right-of-way line of Brantley Street; thence continuing north 35°41'39" west, 289.79 feet to a point; thence north 81°18'37" east, 165.48 feet to a point; thence north 45°37'11" east, 40.32 feet to the Point of Beginning.

Containing 29,832 square feet, more or less.

Coordinates and bearings are based on the 1927 Georgia Transverse Mercator Grid System, West Zone, adjusted in 1974 for MARTA, as set forth in Plat Book 107, pages 1 through 18 inclusive, for the Record of the Clerk of the Superior Court, Fulton County, Georgia.

The above description is based on MARTA East Line Property Disposal Map, Parcel C1029A, Drawing DCE43, dated May 8, 2001.

G:Legals:C1029ATRACT44.lgl.doc 05/08/01

Legislative White Paper

Committee of Purview: COMMUNITY DEVELOPMENT/HUMAN RESOURCES

Caption: AN ORDINANCE BY CD/HRC AUTHORIZING THE MAYOR TO GRANT A PERMANAENT EASEMENT TO GEORGIA POWER COMPANY, FOR THE PURPOSE OF INSTALLING A GUYED SELF-SUPPORTING STUB POLE IN REYNOLDSTOWN PARK ACROSS THE STREET FROM MORELAND AVENUE AT CAROLINE STREET TO CONTINUE UN-INTERRUPTED SERVICE TO THE SOUTHEASTERN QUADRANT OF THE CITY OF ATLANTA AND TO WORK IN CONJUNCTION WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION TO FACILITATE CONSTRUCTION OF THE DECELERATION LANE, LOCATED IN LAND LOT 14 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA; SAID PAYMENT IN THE AMOUNT OF \$5,010.00 SHALL BE DEPOSITED INTO 3P02 (TRUST FUND) 462101 (LAND RENTAL) N21D11B69999 (CITY-WIDE GROUND AND SITE IMPROVEMENTS); AND EXPENDED FROM 3P02 (TRUST FUND) 574001 N21D11B69999 (FACILITIES NON-BUILDINGS, CITY-WIDE GROUND AND SITE IMPROVEMENTS), ON BEHALF OF THE DEPARTMENT OF PARKS, RECRATION AND CULTURAL AFFAIRS, BUREAU OF PARKS; AND FOR OTHER PURPOSES.

Council Meeting Date: January 18, 2005 and February 7, 2005

Legislation Title: An Ordinance

Requesting Dept.: Parks, Recreation and Cultural Affairs

Justification Statement:

Fund Account Center: For depositing the easement (\$10.00) and appraisal value (\$5,000.00) of the easement area into 3P02 Trust Fund 462101 Land Rental N21D11B69999 City Wide Ground and Site Improvements and expending these monies from 3P02 Trust Fund 574001 N21D11B69999 Facilities non-buildings, City wide Ground and Site Improvements.

Fiscal Impact: \$5,010.000

Approvals:

DOF: Margaret Crenshaw-12-14-04

DOL: Sent 12-14-04

Prepared By: Debra F. Harris, M.A., Departmental Contracting Officer/DPRCA

Contact Number: 404-817-6795